2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

Adultery by the Mongol code and also by the Kazak code credited to the Khan
Tiavka,[56] was punishable by death. Zaleskie[57] describes the unpleasant fate of adulterers. Adultery, however, in later times, came to be considered largely in the light of an offense against property for which compensation might be offered if it were acceptable to the husband. A wife might leave her husband and live with her lover provided the latter paid a bride price to the husband.[58]

It is difficult to distinguish between marriage and concubinage. My informants knew that Mohammedan law permitted a man only four wives but thought that additional women living regularly with him would also be wives. If he had obtained them by paying kalym they certainly would be. Grodekov says that a man might have as many wives as he wished, but if he had more than four he was expected to maintain sex relations only with the last four in the order of their acquisition.[59]

Sexual hospitality seems to have been unknown as an accepted practice. Grodekov writes:[60]

> Although the custom of sexual hospitality exists . . . in Siberia, in the south there is little of it. In one issue of statistical materials for the Turkestan district there is mentioned a custom by which the guest might place his hands three times on the breasts of a sleeping girl and if she did not push him away this was taken to indicate her acquiescence. The bii Kanaev [one of Grodekov's informants] denied any such right of the guest, saying "Such a thing could not be and would not even be mentioned."

My informants were mildly shocked at the suggestion, but one of them said that although a man certainly would not offer his wife or daughter to an overnight guest, yet if the guest happened to find favor in the eyes of a daughter she might join him of her own accord after the parents were asleep.

MARRIAGE

First marriages were usually arranged by the parents of the parties concerned, who, especially the girls, had very little voice in the choice of their mate. Grodekov,[61] however, indicates that a girl might break off an engagement with a distasteful fiancé but if she " . . . has been engaged from four to eight years the engagement is considered a marriage and she may not break it off if the man is unwilling." Also the privilege of the girl to at least protest is indicated by the curious statement: "When the daughter of a rich man or of a butcher attains the age of ten, or of a poor man fifteen, then the adat [customary law] permits a declaration from her concerning a reluctance to marry the man chosen by her father." Grodekov explains the inclusion of the butcher's daughter by saying that " . . . the daughter of a rich man, who eats well, and of a butcher, who lives on meat, reach their

D. Riazanovskii, Customary Laws of the Mongol Tribes, 57.

[56] Levshin, *Description des hordes*, 399.
[57] *La Vie des steppes*, 23.
[58] Dingelstedt, *Le Droit coutumier*, 151.
[59] Loc. cit.
[60] *Kirgizy i Karakirgizy*, 93.
[61] *Idem*, 36.